

MINUTES

BOARD OF SUPERVISORS REGULAR SESSION

**JUNE 28, 2006
6:30 P.M.**

The Silver Spring Township Board of Supervisors met in a regular session on Wednesday, June 28, 2006 at the Township Building, 6475 Carlisle Pike, Mechanicsburg, Pennsylvania.

Chairman Latta called the meeting to order at 6:30 p.m. and the Pledge of Allegiance to the Flag was given.

Supervisors present: Chairman Christopher Latta, Vice-Chairman Jan LeBlanc, Supervisor Jackie Eakin, Supervisor Mary Lou Pierce-McLain, and Supervisor Vincent DiFilippo.

Staff members present: Mr. William S. Cook, Township Manager; Mr. Steve A. Stine, Esquire, Township Solicitor; Mr. Bony R. Dawood, Township Engineer; Mr. James E. Hall, Zoning Officer; Police Chief Walter Hughes; and Mrs. Sue Ellen Adams, Secretary/Treasurer.

Others present:

Charles Suhr
J. Funkhowser
T. Sweeney
John Walker
Barbara Martin
Fawn Cassel
Steve Westhafer
Sally Gautney
J. R. Duffie
Ron Secary
Harry Roth
David Hendricks

Jim Cullison
L. Spenard
M. Sweeney
Nancy Griffie
Parker Martin
Brad Swidler
Rick Castranio
Rick Gautney
Scott Evans
Steve Weingarden
Frank Lynch
Richard Stewart

PETITIONS AND COMMENTS

The Chairman announced that the Board held an executive session immediately prior to the meeting to discuss a personnel issue and the McCann litigation.

The Chairman also advised that the Board will recess to an executive session at 8:30 pm to discuss other personnel and litigation matters.

Mr. Scott Evans, a resident of Millers Gap Road expressed concerns regarding the stormwater runoff that

has caused stones and debris to collect in his pond. Recent rain has caused additional problems. He asked the Board how will the runoff be improved and how will the debris be removed from his pond? Staff will review this situation and advise the Board of Supervisors and Mr. Evans of their findings and recommendations.

PUBLIC HEARINGS

THE SILVER SPRING
DEVELOPMENT CU2006-5

Chairman Latta turned the conduct of the continued public hearing for The Silver Spring Development, CU2006-5, over to the Township Solicitor, Mr. Steve Stine, at 6:50 pm.

The hearing was advertised in the West edition of The Patriot-News on Wednesday, May 10, 2006 and on, Wednesday, May 17, 2006.

On a Pierce-McLain/DiFilippo motion, the Board made a motion to continue the hearing to the Board of Supervisors' meeting on July 26, 2006 at 6:30 pm.

A copy of the transcript is made part of these minutes by reference.

CABLE FRANCHISE
LEGISLATION PRESENTATIONS

Mr. Frank Lynch of Comcast and Mr. David Hendricks representing Verizon made presentations to the Board regarding pending cable franchise legislation.

APPROVAL OF MINUTES

JUNE 14, 2006

On a Pierce-McLain/DiFilippo motion, the Board of Supervisors approved the minutes from the meeting held June 14, 2006 as amended.

The motion carried.

REPORTSPOLICE

Nothing additional to report.

ENGINEER

No additional report.

EMERGENCY MANAGEMENT
COUNCIL

In addition to the written report, due to heavy recent rains evacuations did occur and everything went well. The EMC did a good job.

RECREATION ADVISORY
COUNCIL

Nothing additional.

TREASURER REPORT

No report.

APPROVAL OF EXPENDITURES

On a Pierce-McLain/LeBlanc motion, the Board approved the expenditures since the May 24, 2006 meeting.

The motion carried.

OLD BUSINESSEXECUTIVE SESSION

The Board recessed into Executive Session at 8:45 pm to discuss Letterman, Inc. and Rich Valley Golf Club, Inc. vs. Silver Spring Township litigation and a personnel matter and returned at 9:50 pm.

WESTHAFFER ESTATES 2006-6F

On a Pierce-McLain/LeBlanc motion, the Board of Supervisors approved the Westhafer Estates final subdivision plan, 2006-6F, subject to the following comments:

IMPACT COMMENTS:

1. [SLDO:402.01] – All comments and conditions of the preliminary plan approval are hereby included as part of these comments.

SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE OF 2003: (SLDO)

2. [SLDO:304.03] – An adequacy letter from the Cumberland County Conservation District is required prior to recording the plan.
3. [SLDO:304.06] – All final plans as recorded shall be submitted in electronic format compatible with AutoCAD 2000®.
4. [SLDO:305.01] – The applicant shall complete all waiver statements upon final action by the Board of Supervisors and prior to recording the plan.
5. [SLDO:403.01] – Prior to recording, the plan must be reduced to 18" x 24" and be legible. Submission of a single proof set for a legibility review prior to recording is required.
6. [SLDO:403.06] – All original seals, signatures, and notarizations shall be provided on each copy of the final plan prior to being recorded. Copies of sealed, signed, and notarized plans will not be permitted for recording.
7. [SLDO:403.06.8] – Improvement Guarantee in accordance with Article V is required prior to plan recording.
8. [SLDO:403.06.11] – An executed Memorandum of Understanding is required prior to plan recording.
9. [SLDO:403.07] – All applicable fees shall be paid prior to plan recording.
10. [SLDO:607.03] – The plan and easement agreement shall clearly identify who has the

right-of-access and responsibility for function of the easement area.

Specifically, provide details for the sixty (60') feet diameter public access easement.

11. [SLDO:609] – A Storm Water Management Permit will be required prior to initiation of land development activities.
12. [SLDO:615.01] – A recreation fee of \$1,300.00 shall be provided for each proposed dwelling unit prior to plan recording.
13. The applicant agreed to a financial contribution of \$20,000.00 to be used for the construction/reconstruction of township roads in the vicinity of the project. \$10,000.00 of the financial contribution is due prior to recording of the plan. The \$10,000.00 balance is due prior to the acceptance of the public streets.
14. The plan must be certified by the surveyor.
15. The plan must be signed by the owner, notarized and reduced for recording.

ADDITIONAL COMMENTS:

16. [ZO:204.6) – Because of the reconfiguration of the Subdivision Plan, Lots 23 and 29 are now designated as corner lots requiring a front yard adjacent to each street. Access to these lots shall be restricted to Stevens Drive, therefore, making the yard adjacent to Stevens Drive the true front yard. Therefore, revise the rear yard setbacks for Lots 23 and 29 to comply with the minimum setback distance of thirty-five (35') feet.

The motion carried.

LOT 15A WHITE BIRCH FARMS
DISCUSSION

Mr. Richard Stewart discussed the restrictions on the use of Lot 15A of the White Birch Farms Section 2 subdivision.

The Board advised that the owner of Lot 15 should submit a subdivision plan to remove the restriction.

NEW BUSINESS

EXONERATIONS

On an Eakin/LeBlanc motion, the Board of Supervisors granted the exonerations from personal taxes for the delinquent taxpayers listed on the June 21, 2006 memo from the Secretary/Treasurer.

The motion carried.

MARK R. T. SIMPSON
(SHOPPING CENTER)
CU2006-3A DECISION

On a LeBlanc/DiFilippo motion, the Board of Supervisors approved the Mark R. T. Simpson (shopping center) conditional use application, CU2006-3A, decision with the following comments:

CONDITIONAL USE:

1. [ZO:212.11] – Waste Products
All dumpsters are not completely contained within a masonry or fenced enclosure equipped with a self latching gate. The application did not provide screening for the proposed dumpster pad and possibly the compactor pad area at the rear of the proposed drug store.
2. [ZO:305] – Corner Lots
Corner lots shall not permit any walls, trees, or permanent structures within a one hundred (100') feet triangle of the two intersecting roads.
3. [ZO:313] - Outdoor Signs
Review of this plan does not constitute approval of the outdoor signs. The permitting procedure for review and approval of outdoor signs is provided in Zoning Ordinance Section 313.
4. [ZO:324.4] – 300 Feet Setback Requirement

Automobile filling stations are not set back at least three hundred (300') feet from any lot containing a school, park, or playground. Due to the proximity of this parcel to recently transferred property to the Cumberland Valley School District the applicant shall confirm the satisfaction of this requirement.

5. [ZO:436.2] – Frontage and Access Drive Requirements
Access drives are not set back at least two hundred (200') feet from the intersection of any street right-of-way line. The Applicant shall confirm that both access drives comply with this provision of the Ordinance.
6. [ZO:436.8] – Traffic Impact Study
A Traffic Impact Study was not submitted in accordance with Section 402.05 of the Subdivision and Land Development Ordinance. The Traffic Analysis submitted does not meet the complete requirements of SLDO Section 402.05.
7. [ZO:704.1.1] – Filing of Conditional Use
Applicant did not provide ground floor plans and elevations of proposed structures.
8. [ZO:704.2.4] – General Criteria
Confirmation was not provided that adequate public facilities are available to serve the proposed use (e.g., fire, police, sewer, water, etc.)
9. [SLDO:604.01] – Sidewalks were not provided to provide access to a commercial facility or vehicle parking compound. All sidewalks shall have a minimum width of four (4') feet and sidewalks utilized for ADA access shall conform to the Americans with Disabilities Act Guidelines (including handicapped access ramps).
10. [SLDO:602.18.1] - The Applicant is proposing a left turn dedicated lane for Northbound travel on Rich Valley Road for the proposed site access. Applicant did not show how will these improvements impact

the Bobby Rahal entrance location and Stonewall Drive traffic movements.

11. The design of the shopping center be reworked so that 75% of oak and 75% of existing evergreen trees will be preserved.
12. All access to the site shall be from the parallel access road that lies to the north of the project; any direct access onto Rich Valley Road from any point other than the parallel access road is denied.
13. The proposed turn lanes shall be installed immediately as a part of the shopping center construction phase (left onto northbound Rich Valley Road, southwest bound onto Carlisle Pike).

The motion carried.

MARK R. T. SIMPSON
(ACCESS) CU2006-3B DECISION

On a LeBlanc/DiFilippo motion, the Board of Supervisors denied the Mark R. T. Simpson (access) conditional use application, CU2006-3B.

The motion carried.

SUSAN ZIMMERMAN (THE
POND PLACE) CU2006-4 DECISION

On a Pierce-McLain/LeBlanc motion, the Board of Supervisors approved the Susan Zimmerman (The Pond Place) conditional use, CU2006-4, with the following conditions:

1. ZONING ORDINANCE OF 2003 (ZO):
[ZO:222.8] – Minimum Setback
Requirements
Provide evidence that the minimum setback requirements have been met.
2. [ZO:303.3] – Mandatory Setbacks from the
Carlisle Pike
Provide evidence that all required setbacks have been met.

3. [ZO:701.2.C] – Application for All Zoning Permits
The applicant shall submit plans that indicate existing and proposed uses, including the number of occupied units, businesses, etc., that all structures are designed to accommodate.
4. [ZO:701.2.D] – Application for All Zoning Permits
The applicant shall submit plans that show all off-street parking and loading spaces.
5. [ZO:701.3.1] – Application for All Zoning Permits for Uses in All Industrial Zones
The applicant shall submit a location plan showing the proposed tract, zone boundaries, adjoining tracts, significant natural features, and streets for a distance of two hundred (200') feet from all tract boundaries.
6. [ZO:701.3.2] – Application for All Zoning Permits for Uses in All Industrial Zones
The applicant shall submit a plat plan of the lot showing the location of all existing and proposed buildings, driveways, parking lots showing access drives, circulation patterns, curb cut accesses, parking stalls access from streets, screening fences and walls, waste disposal fields or other methods of sewage disposal, other construction features on the lot, and the location of all topographical features.
7. [ZO:701.3.5] – Applicants for All Zoning Permits for Uses in All Industrial Zones
The applicant shall provide engineering plans for the handling of traffic, noise, glare, air pollution, water pollution, vibration, fire hazards, or safety hazards, smoke, or emissions of any potentially harmful or obnoxious matter or radiation.
8. [ZO:701.3.8] – Applicants for All Zoning Permits for Uses in All Industrial Zones
Where use by more than one firm is anticipated, a list of firms which are likely to be located in the center, their floor area, and

estimated number of employees shall be provided.

9. [ZO:704.1.2] – Filing of Conditional Use
Provide the addresses of adjoining property owners.
10. [ZO:704.1.3] – Filing of Conditional Use
Provide a scaled drawing (site plan) of the site with accuracy to demonstrate compliance with all applicable provisions of this ordinance.

The motion carried.

THE HILLS AT SILVER SPRING
(HENLOR/LEHMAN) 2005-9P
HIGHWAY OCCUPANCY PERMIT
LETTER OF ACKNOWLEDGMENT

On a DiFilippo/Pierce-McLain motion, the Board of Supervisors tabled action on the Highway Occupancy Permit Letter of Acknowledgment for the improvements for the intersection of Rich Valley Road and the Carlisle Pike for the Hills at Silver Spring (Henlor/Lehman) preliminary subdivision plan 2005-9P.

The motion carried.

SUN MOTOR CARS LD2005-10F-
BOND ESTABLISHMENT

On a LeBlanc/Pierce-McLain motion, the Board of Supervisors approved the bond for improvements in the amount of \$3,688,490.03 for the Sun Motor Cars final land development plan, LD2005-10F.

The motion carried.

GOLDEN TRIANGLE 92-7
POTTEIGER RUN- LETTER
OF MAP REVISION

On an Eakin/Pierce-McLain motion, the Board approved the Letter of Map Revision for the Potteiger Run flood plain in association with the Golden Triangle final subdivision plan, 92-7 as prepared by the Township Engineer and authorized it being signed and forwarded to FEMA.

The motion carried.

ALAN RIMMER CU2006-6

On a Pierce-McLain/DiFilippo motion, the Board forwarded the Alan Rimmer conditional use application, CU2006-6, to the Township Planning Commission for its review and comments and set the hearing date of July 26, 2006 at 6:30 pm for consideration of the request.

The motion carried.

PLANNING & ZONING/EMC
VEHICLE PURCHASE

On a Pierce-McLain/DiFilippo motion, the Board tabled action on this purchase to allow staff time to acquire information on the gas mileage of the vehicles being considered.

The motion carried.

POLICE OFFICER(S)
EMPLOYMENT OFFER

On an Eakin/Pierce-McLain motion, the Board of Supervisors approved the offer of employment to Jennifer Ulerick a full-time Police Officer with a starting salary of \$30,000 for the first six months of probation after which the contract salary would be \$48,103.44 and authorized offers of employment to Stephen Grunden and Tracy Miller, upon successful completion of Act 120, as a part-time Police Officer, with a rate of compensation of \$15.00 per hour.

The motion carried.

ZONING CHANGE SOUTHWEST
CORNER OF RT. 114/944 Z2006-3
ORDINANCE NO. 4 OF 2006

On an Eakin/Pierce-McLain motion, the Board of Supervisors set a hearing date of July 26, 2006 and authorized the advertisement of Ordinance No. 4 of 2006 which would change the zoning from RE to C1 for the southwest corner of Route 114 and 944 (Hoffman/Kieffer/Stoner properties).

The motion carried.

SUBDIVISION PLANSMORGAN TRACT 2006-8F

Mr. Ed Stalnecker discussed the Morgan Tract plan with the Board for the final subdivision plan, 2006-8F.

On a LeBlanc/DiFilippo motion, the Board tabled action and acknowledged the extension of time for plan consideration until July 27, 2006, on the Morgan Tract final subdivision plan, 2006-8F, with the following comments:

IMPACT COMMENTS:

1. [SLDO:402.01] – All comments and conditions set forth in the preliminary approval are hereby included with these comments. The following are conditions of special note:
 - a. Condition 3. [402.05.2] – A Sewer Facilities Plan Revision (Planning Module) is required for adoption by Silver Spring Township and approval by the Department of Environmental Protection. As stated at the in-house staff review meeting, it appears that there is not sufficient sewer capacity at this time to sustain the development. Applicant shall contact the Silver Spring Township Authority to discuss the matter.
 - b. Condition 4. [402.05.6] – A revised Traffic Impact Study that addresses the June 9, 2004 comments from Dawood Associates shall be provided.
 - c. Condition 40. – The proposed disposition of the tree rows along Interstate 81 must be noted. The applicant agreed to install a buffer of two rows of evergreen trees on Lots 5 and 7 along I-81. The buffer shall consist of trees with a minimum height of six (6') feet and be placed ten (10') feet apart in two rows staggered five (5') feet off center.

- d. Condition 42. – The Board expressed concerns regarding the depth of the existing pipeline through the development. The applicant agreed to review this matter with Texas Eastern and to adjust the lot configuration to minimize its potential impact.

SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE OF 2003 (SLDO):

2. [SLDO:304.03] – An adequacy letter from the Cumberland County Conservation District is required prior to recording the plan.
3. [SLDO:304.06] – All final plans as recorded shall be submitted in electronic format compatible with AutoCAD 2000®.
4. [SLDO:403.01] – Prior to recording, the plan must be reduced to 18” x 24” and be legible. Submission of a proof set prior to recording is required.
5. [SLDO:403.06.11] – An executed Memorandum of Understanding is required prior to plan recording.
6. [SLDO:403.06.8] – Improvement Guarantee in accordance with Article V is required prior to plan recording.
7. [SLDO:403.06] – All original seals, signatures, and notarizations shall be provided on each copy of the final plan prior to being recorded. Copies of sealed, signed, and notarized plans will not be permitted for recording.
8. [SLDO:403.07] – All applicable fees shall be paid prior to final plan approval.
9. [SLDO:508] – A number of details do not comply with the Improvement Specifications Manual. The Typical Site Concrete Curb Detail shall to be revised in accordance with the Township's Manual.

10. [SLDO:602.08.1] – Provide the vertical curve information for the area where the existing Hillside Drive will intersect the proposed Hillside Drive
11. [SLDO:609] – A Storm Water Management Permit will be required prior to initiation of land development activities.
12. [SLDO:614.02] – Provide a letter from the water utility indicating that water service is available for the proposed development.
13. [SLDO:615.01] – A recreation fee of \$350.00 shall be provided for each proposed dwelling unit prior to plan recording.
14. [SWMO:304.01.1] – Revise drainage area maps to make contour labels, structure labels, etc., more legible.
15. [SWMO:304.01.2] – Drainage area maps must be 18" x 24" or smaller.
16. [SWMO:304.01.7] – Note on plans areas of easement not to be offered for dedication along with a statement that the township is not responsible for the maintenance of any area not dedicated and accepted for public use.
17. [SWMO:304.01.8] – Provide certificate signed and sealed by an individual registered in the Commonwealth of Pennsylvania and qualified to perform such duties, indicating compliance with the provisions of this ordinance.
18. [SWMO:304.02.5] – Provide sufficient detail regarding the area that will be receiving the stormwater discharges so that existing conditions can be properly evaluated. Additional information on downstream receiving channels is required along S.R. 0081 and along eastern property line.
19. [SWMO:304.03.6] – Include size, slope, capacity, material, invert and top of grate elevations and condition of all facilities used

to convey storm flows, existing or proposed (EXI-33 to EXI-32 to MH-29).

20. [SWMO:304.04.1] – Regarding the detention basin designs:
 - a. 100-year basin storage indicates Basin #1 does not have the required one (1') foot freeboard. Basin top of berm = 424.90', 100-year peak elevation = 424.33 feet;
 - b. Basin #1 has a minimum bottom slope of one (1%) percent with a low flow channel and two (2%) percent without;
 - c. Basin #2 top of berm elevation shown as 423.98 feet, stage storage elevation = 424.0 feet, recompile basin analysis or adjust basin elevation;
 - d. In the report, basin storage elevation for Basin #1 is indicated as 424.0 feet, however, the 100-year basin outflow peak elevation is indicated as 424.33 feet. Revise as required;
 - e. No emergency spillway shown grading plan for Basin #2;
 - f. On the post-development drainage area map, DA-1B is indicated as 1.6 acres, however, the post-development area for DA-1B used for TR-55 hydrograph calculations is shown as 0.8 acres. Also, CN not correct;
 - g. The post-development two-year storm calculation for DA-2 is indicated as DA-3; and,
 - h. Show Basin #2 topography to the degree required for proper construction.
21. [SWMO:304.04.3] – Provide design solutions including plans and data prepared by a registered professional experienced and educated in soil mechanics which will include: frost heave potential, spring swell potential, soil bearing strength, water infiltration, soil settling characteristics, fill and backfilling procedures, soil treatment

techniques as required to protect the improvements or structures for Basin #2.

The applicant has submitted an Infiltration Analysis and Geologic review which is currently under review

22. [SWMO:304.04.3] – Soil structure and characteristics shall be provided for all proposed groundwater recharge systems, and detention or retention basins holding two (2) or more acre-feet of volume.

The applicant has submitted an Infiltration Analysis and Geologic review which is currently under review

23. [SWMO:304.04.7] – Provide copy of approved NPDES permit to township as required for this section and provide permit number on plans.
24. [SWMO:402.02.6] – Provide emergency spillway design information supporting the safe discharge of the full 100-year peak discharge of a post development storm event through an emergency spillway in a manner which will not damage the integrity of the basin.
25. [SWMO:402.02] – Provide a detailed analysis to demonstrate that the 100-year peak flows can be conveyed through the site without damage to any private or public property.
26. [SWMO:402.08.6] – Any pipes penetrating an earthen embankment shall include properly spaced concrete cutoff collars.
27. [SWMO:402.08.8] – Minimum floor elevations for all structures that would be impacted by the water surface in detention basins and ponding areas shall be a minimum of two (2') feet above the 100-year water surface.
28. [SWMO:402.09.5] – Inlets, Culverts and Basins Discharge Systems

Inlets shall be designed and analyzed for by-pass flow and ponding depths at sumped inlets. The 25-year water surface for the detention basin shall be the tailwater condition imposed on the collection systems that discharge into the basins. Pipe design capacity shall consider this requirement. When pipe sizes change at a drainage structure, the invert elevations will be designed to match the pipe crowns. Review profiles to ensure that the pipe coverage complies with the requirements in PennDOT Design Manual Part 2, Section 10.7. Pipe coverage within the roadway sections shall be measured from the finished subgrade elevation to the crown of the pipe.

29. [SWMO:402.15] – Provide appropriate energy dissipation facilities for storm sewer outfalls.
30. [SWMO:402.15] – Provide slope reinforcement design information and indicate on plans the location that Swale #4 enters Basin #2.
31. [SWMO:402.17.5] – Drainage provisions shall accommodate the stormwater runoff both during and after construction.
32. [SWMO:402.19] – Provide stormwater easements where stormwater or surface water drainage facilities are proposed. Also, provide information regarding the ownership and maintenance responsibilities for the easements.

GENERAL COMMENTS:

33. [SLDO:611.04] – The landscape plan on sheets 6 and 7 should indicate the amount of existing woods to be removed. Show replacement landscaping on Lot 12.

The motion carried.

SUTLIFF HUMMER, LLC &
PENNSY SUPPLY, INC. 2006-10F

Ms. Fawn Cassel discussed the Sutliff Hummer & Pennsy Supply, Inc., 2006-10F, plan with the Board of Supervisors.

On a Pierce-McLain/LeBlanc motion, the Board of Supervisors approved the Sutliff Hummer, LLC & Pennsy Supply, Inc. final subdivision plan, 2006-10F, with the following waivers and conditions:

WAIVERS:

1. [SLDO:402.03.4] – Existing Features
Within Two Hundred (200') Feet
The applicant is granted relief from the requirement to show the existing topographic features within two hundred (200') feet of the subject tract. This relief is approved on the basis that no properties other than the Pennsy Supply and Sutliff Hummer properties will be affected.
2. [SLDO:402.03.1] – Existing Features
The applicant is granted relief from the requirement to provide existing contours within or immediately adjacent to the subject tract. This relief is approved on the basis that the existing contours are not pertinent information.
3. [SLDO:402.01.2] – Drafting Standards
The applicant is granted relief from the requirement to provide dimensions for the entire tract boundary. This relief is approved on the basis that only a portion of the Pennsy Supply property will be altered.
4. [SLDO:402.05.2] – Reports
The applicant is granted relief from the requirement to provide a sewer planning module. This relief is approved on the basis that there is no building or expansion of any buildings with this plan.
5. [SLDO:402.05.2] – Provide a Stormwater Management Plan

The applicant is granted relief from the requirement to provide a storm water management plan. This relief is approved on the basis that there is no building or expansion of any buildings with this plan.

ZONING ORDINANCE OF 2003:

1. [ZO:223.2] – Permitted Uses
Automobile sales are not a permitted use in the Quarry Zone. If a variance of this requirement has been obtained, include the exact wording from the Zoning Hearing Board's order on the plans.
2. [ZO:212.2] – Permitted Uses
Quarry operations are not a permitted use in the Highway Commercial Zone. If a variance of this requirement has been obtained, include the exact wording from the Zoning Hearing Board's order on the plans.

SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE OF 2003:

3. [SLDO:304.06] – All final plans as recorded shall be submitted in electronic format compatible with AutoCADD 2000®.
4. [SLDO:402.01.2] – Provide dimensions for the entire tract boundary. Dimensions shall read in a clockwise direction. A waiver of this requirement has been requested.
5. [SLDO:402.03.1] – Provide the existing contours for the subject tracts. Also, provide a bench mark within or immediately adjacent to the subject tract. The applicant is requesting relief from the requirement to provide contours.
6. [SLDO:402.03.4] – Provide existing features within two-hundred (200') feet of the subject tract. A waiver of this requirement has been requested.
7. [SLDO:402.04.6] – Provide a cross-access agreement for review and comment by the Township Solicitor. Also, it appears that the

cross-access easement encroaches upon the property owned by Noland Properties, Inc.

8. [SLDO:402.04.14] – All waiver statements shall be updated upon final action by the Board of Supervisors.
9. [SLDO:402.05.2] – A Sewer Facilities Plan Revision (planning module or exemption) is required for adoption by Silver Spring Township and approval by the Department of Environmental Protection. A waiver of this requirement has been requested.
10. [SLDO:402.05.8] – Provide evidence of Pennsylvania Historical and Museum Commission (PHMC) response.
11. [SLDO:402.05.10] – Provide evidence of PNDI notification and response.
12. [SLDO:403.01] – Prior to recording, the plan must be reduced to 18" x 24" and be legible. Submission of a proof set prior to recording is required.
13. [SLDO:403.06] – All original seals, signatures, and notarizations shall be provided on each copy of the final plan prior to being recorded. Copies of sealed, signed, and notarized plans will not be permitted for recording.
14. [SLDO:403.07] – All applicable fees shall be paid prior to final plan approval.

GENERAL COMMENTS:

15. The location of existing water lines should be shown.
16. An agreement should be provided for the joint access, shown on sheet 6, addressing maintenance responsibilities.
17. If the joint access is defined as an "access drive", it must comply with the requirements of the Subdivision Ord., Section 602.18.3. This includes a setback of fifteen (15') feet

from the property line, providing its width, and its composition.

18. Is a portion of the access drive in the adjoining Noland Properties? If so, an agreement with that property should be established.
19. The paving width of the Carlisle Pike is not indicated.

The motion carried.

HIGHWAY OCCUPANCY
PERMIT LETTER OF
ACKNOWLEDGEMENT

On an Eakin/LeBlanc motion, the Board authorized the Sutliff Hummer, LLC & Pennsy Supply, Inc. Highway Occupancy Permit Letter of Acknowledgement for final subdivision plan, 2006-10F.

The motion carried.

MAGILL, KNEPP & VAN LIEU
2006-11F

Mr. Rick Castronio discussed the Magill, Knepp, & Van Lieu final subdivision plan, 2006-11F.

On a Pierce-McLain/Eakin motion the Board approved the Magill, Knepp & Van Lieu final subdivision plan, 2006-11F, with the following waivers and conditions:

WAIVERS:

1. [SLDO:402.03] – Existing Features
The applicant is granted relief from the requirements to provide existing features within two hundred (200') feet of the site and also to provide existing contours based on a benchmark. This relief is approved on the basis that the plan utilizes contours as indicated on the recorded final subdivision plans for the tract and USGS mapping.
2. [SLDO:402.03.6] – Tree Masses
The applicant is granted relief from the requirement to locate all tree masses and trees over three (3') feet in diameter. This

relief is approved on the basis that this plan does not propose any earth disturbance.

3. [SLDO:610.02] – Wetland Identification
The applicant is granted relief from the requirement to identify existing wetlands on the site. This relief is approved on the basis that no lots or improvements are proposed with this plan.
4. [SLDO:402.05.4] – Stormwater Management Report
The applicant is granted relief from the requirement to submit a stormwater management report. The relief is approved on the basis that no new lots or improvements are proposed.

ZONING ORDINANCE OF 2003:

1. [ZO:202.5] – Maximum Number of Permitted Dwellings
Identify the number of permitted lots/dwellings each parcel prior to subdividing and which proposed lots will retain these rights.
2. [ZO:301.9.5] – Man-Made Lakes, Dams, and Impoundments
All dams, ponds, and impoundments require the submission of a statement by a qualified engineer that the proposed use is properly constructed and will not pose a threat to the public safety nor the environment during normal flow conditions and those associated with the base flood.

SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE OF 2003:

3. [SLDO:304.06] – All final plans as recorded shall be submitted in electronic format compatible with AutoCADD 2000®.
4. [SLDO:402.03.1] – Provide a bench mark within or immediately adjacent to the subject tract. Indicate the relationship of the bench mark's elevation to the National Geodetic Vertical Datum, of 1929

(NGVD'29). A waiver of this section has been requested.

5. [SLDO:402.03.4] – Provide existing features within two hundred (200') feet of the subject tract. A waiver of this section has been requested.
6. [SLDO:402.03.6] – Provide the location of all tree masses and trees of three (3') feet diameter or greater. A waiver of this section has been requested.
7. [SLDO:402.04.14] – The waiver statement shall be updated upon action by the Board of Supervisors.
8. [SLDO:402.05.4] – Provide a Storm Water Management Report. A waiver of this section has been requested.
9. [SLDO:403.01] – Prior to recording, the plan must be reduced to 18" x 24" and be legible. Submission of a proof set prior to recording is required.
10. [SLDO:403.06] – All original seals, signatures, and notarizations shall be provided on each copy of the final plan prior to being recorded. Copies of sealed, signed, and notarized plans will not be permitted for recording.
11. [SLDO:403.07] – All applicable fees shall be paid prior to final plan approval.

ADDITIONAL COMMENTS:

12. [SLDO:402.02.9] – When comparing the existing Lot area for Magill (8.52 Acres) with the total areas of: a) proposed Lot 1, b) area conveyed to Lot 2, c) area conveyed to Lot 3, and d) area offered for dedication; there appears to a 0.06 Acre discrepancy. Review and revise as necessary.

The motion carried.

WILLIAM L. WIMBISH IV AND
KRISTY L. WIMBISH 2006-12
SKETCH

Mr. John Walker reviewed the William L. Wimbish IV and Kristy L. Wimbish, 2006-12, sketch plan with the Board and asked if the Board would consider granting a waiver of the Subdivision Ordinance section requiring that all lots front on a public street. Due to concerns regarding public safety, the Board advised that it was not inclined to support this request.

LAND DEVELOPMENT PLANS

EXEL, INC LD2006-7F

On a Pierce-McLain/Eakin motion, the Board of Supervisors tabled the Exel, Inc. final land development plan, LD2006-7F, until the July 26, 2006 meeting with the following waivers and conditions:

WAIVERS:

1. [SLDO:303] – Preliminary Plan Application
The applicant is requesting relief from the requirement to submit a Preliminary Plan. This relief is requested due to the relative simplicity of the plan. Application for this waiver is pending the review of the plan and extent of comments from the Township's Staff.
2. [SLDO:608.1] – Monuments and Markers
The applicant is requesting relief from the requirement to provide concrete monuments at all locations along the street rights-of-way. The applicant will provide concrete monuments at those locations which are currently not monumented.
3. [SWMO:402.08.1] – Earth Fill Dams
The applicant is requesting relief from the requirement to comply with the maximum allowable water depth of the stormwater basin. This relief is requested on the basis that the entire basin will be enclosed with fencing.

ZONING ORDINANCE of 2005:

1. [ZO:222.12] – Landscaping
Revise the text “Section 211.13” in plan
note number 10 to reference “Section
222.12”.

SUBDIVISION AND LAND DEVELOPMENT
ORDINANCE of 2005:

2. [SLDO:301 b)] – A separate preliminary and
final plan application and submission is
required for Land Development Plans with
fifty (50) or more parking spaces. A waiver
of this requirement has been requested.
3. [SLDO:304.02;EMC] – Emergency
Management Council approval is required.
Provide general notes as necessary as
follows: a) the building's sprinkler system
shall have a five (5) inch stortz connection
with 22-degree elbow; and b) the building
must be equipped with a Knox Box to
permit fire department entry.
4. [SLDO:304.03] – An adequacy letter from
the Cumberland County Conservation
District is required prior to recording the
plan.
5. [SLDO:304.06] – All final plans as recorded
shall be submitted in electronic format
compatible with AutoCADD 2000®.
6. [SLDO:402.03.1] – Identify on the plans the
location and indicate the relationship of the
bench mark's elevation to the National
Geodetic Vertical Datum, of 1929
(NGVD'29).
7. [SLDO:402.03.4 c)] – On the existing
conditions plan, provide the actual location
of the gas pipeline that traverses the
property.
8. [SLDO:402.04.9] – Cross sections for
improvements to existing streets shall be
provided for each fifty (50') foot station
location.

9. [SLDO:402.04.10] – Provide the vertical and horizontal alignment on the same sheet for each proposed street, storm water management facility, sanitary sewer, and water distribution system. All water distribution and sanitary sewer system plans shall include manhole locations, size, and type of material.
10. [SLDO:402.04.14] – The waiver statements shall be updated upon final action by the Board of Supervisors.
11. [SLDO:402.04.15] – Identify any and all lands to be dedicated for public use.
12. [SLDO:402.05.2] – A Sewer Facilities Plan Revision (planning module or exemption) is required for adoption by Silver Spring Township and approval by the Department of Environmental Protection.
13. [SLDO:402.05.3] – Provide a letter from the water supplier stating that they will provide service to the facility.
14. [SLDO:402.05.3] – A Traffic Impact Study is required for all non-residential uses with 50 or more parking spaces. A study scope has been provided to the applicant's transportation consultant.
15. [SLDO:402.06.1] – Provide a copy of the right-of-way agreement or letter from the owner or lessee of the Atlantic Pipeline stating any conditions on the use of the land. The correspondence should also indicate the terms under which the pipeline will be relocated.
16. [SLDO:403.01] – Prior to recording, the plan must be reduced to 18" x 24" and be legible. Submission of a proof set prior to recording is required.
17. [SLDO:403.04.2] – Curve segments shall be comprised of arc, chord bearing and distance, radius, and tangent.

18. [SLDO:403.04.3] – All easements shall include information sufficient to accurately locate the easement within the property boundary and shall provide the current status (existing or proposed).
19. [SLDO:403.06] – All original seals, signatures, and notarizations shall be provided on each copy of the final plan prior to being recorded. Copies of sealed, signed, and notarized plans will not be permitted for recording.
20. [SLDO:403.06.2] – Correct the date in the Silver Spring Township Planning Commission statement.
21. [SLDO:403.06.8] – Improvement Guarantee in accordance with Article V is required prior to plan recording.
22. [SLDO:403.06.11] – An executed Memorandum of Understanding is required prior to plan recording.
23. [SLDO:403.07] – All applicable fees shall be paid prior to final plan approval.
24. [SLDO:506] – Provide a note on the plans stating to the effect, “It shall be the responsibility of the applicant to arrange a pre-construction meeting and all required inspections with the Township Engineer’s office.
25. [SLDO:507] – Provide a note on the plans that states “As-Built” plans will be submitted to the Township Engineer’s office upon completion of all required improvements and prior to the final inspection.
26. [SLDO:508] – A number of details do not comply with the Improvement Specifications Manual. A trench detail in accordance with the Township's Manual must be included on the plans.
27. [SLDO:602.18.1] – Provide a vertical profile of the access drive in accordance

with SLDO 602.08. Provide the centerline description and the profile for the access drives.

28. [SLDO:602.18.5] – When vehicular parking is prohibited along access drives, the prohibition must be acknowledged on the plan and properly signed along the cartway.
29. [SLDO:603.03] – Delineate areas which are to be constructed according to the Heavy Duty Paving Detail and the Car Parking Paving Detail.
30. [SLDO:603.08] – Proposed parking aisle widths shall be twenty-six (26') feet.
31. [SLDO:603.12] – Provide additional lighting intensities up to and beyond the property boundaries and rights-of-way to verify that site lighting will not reflect or provide glare onto adjacent properties or streets.
32. [SLDO:607.03] – The plan and easement agreement shall clearly identify who has the right-of-access and responsibility for function of the easemented area.
33. [SLDO:608.01] – Provide monumentation in accordance with this section. A waiver to modify this requirement has been requested.

STORMWATER MANAGEMENT ORDINANCE of 2005 (SWMO):

34. [SWMO:303.01] – A Storm Water Management Permit for a major land disturbance will be required for the proposed construction.
35. [SWMO:304.01.7] – Provide a note on plan indicating any easemented areas that are offered for dedication to the Township. The party responsible for the maintenance of any easements not to be offered for dedication to the Township shall be identified.
36. [SWMO:304.01.8] – Add the Storm Water Management Plan Certification shown in

Appendix 3, as well as the seal and signature of the professional responsible for the preparation of the Storm Water Management Report.

37. [SWMO:304.03.2] – Show proposed relocation of Atlantic High Pressure Petroleum pipeline and easement along western property line from southwest corner to crossing of Dauphin Drive. Also, show the pipeline on the profile of Detention Basin #2.
38. [SWMO:304.03.2] – The location of the Atlantic High Pressure Petroleum pipeline shown on the plan view and profile of Manhole #3 to Endwall #6 does not match. Revise as required.
39. [SWMO:304.03.2] – Show proposed eight (8”) inch D.I. Fire Service waterline when crossing on profiles.
40. [SWMO:304.03.2] – The grading plan shows grading beyond the property limits near End Wall #7. Provide the appropriate information and documentation to show that the grading is being done with the property owner’s permission.
41. [SWMO:304.03.2] – Add Area of Disturbance line type to Legend.
42. [SWMO:304.04.1] – The Table presented on page 40 of the report is incomplete.
43. [SWMO:304.04.1] – Detention Pond #2 Basin Storage/Elevation Input shows storage of 0.000 acre-feet at elevation 431.0’; however, the invert of the basin is elevation 430.00’.
44. [SWMO:304.04.3] – If groundwater recharge will be proposed to satisfy the NPDES requirements, the applicant shall provide all the necessary information to insure that the infiltration facilities are properly designed and located.

45. [SWMO:304.04.5 & 402.20] – Provide a General Note to the plans that states: “The Storm Water Management facilities constructed as the result of this land development project shall be subject to the requirements and conditions of the National Pollutant Discharge Elimination System (NPDES) permit number 133514 issued by the Pennsylvania Department of Environmental Protection (Pa-DEP), held by Silver Spring Township for discharges from the Municipal Separate Storm Sewer System (MS4).”
46. [SWMO:304.04.7] – Provide verification of NPDES, DEP or County Conservation District approval for erosion and sedimentation control.
47. [SWMO:304.04.9] – Provide a schedule for the installation of the control measures and devices. In all cases, the proposed stormwater management devices shall be completed prior to the construction of additional impervious areas.
48. [SWMO:402.06] – The emergency spillway must be designed to handle the entire peak from the 100-year storm. Although, routing of the 100-year storm through the emergency spillway is an acceptable method to demonstrate its adequacy, the routing cannot include any of the storage volume below the crest of the emergency spillway.” Additionally, the spillway crest elevation used in the routing for Basin # 2 is inconsistent with the detail provided on page 124.
49. [SWMO:402.06] – Storm water basins located in known sinkhole proven areas are required to be lined to prevent infiltration. Applicant shall provide lining or a geotechnical study indicating that the basin location is acceptable.
50. [SWMO:402.08.07] – All riser pipes shall be reinforced concrete.

51. [SWMO:402.09.1] – Emergency spillway lining shall also be checked for stability in the unvegetated condition occurring during construction or reference suitable slope stabilization during this period.
52. [SWMO:402.19] – Provide storm drainage easements according to the Ordinance requirements.

GENERAL COMMENTS:

53. The aisles should be 26 feet wide for the two parking lots shown on the west side of the building. Sheet 3 indicates the aisles as only 24 feet wide.
54. Will the proposed warehouse require improvements to U.S. Route 11 or Dauphin Drive to accommodate traffic generated by the site?
55. The plan must be signed by the owner and notarized.

The motion carried.

OTHER PERTINENT BUSINESS

ZONING HEARING BOARD
APPLICATIONS

Supervisor Jan LeBlanc will represent the Board at the July 10, 2006 Zoning Hearing Board meeting.

- a. Guy A. Eckert-Variance 2006-12
(Property located at 475 Sample
Bridge Road)

Mr. Guy A. Eckert, is requesting a variance to Section 112.C (No-Impact Home Based Business). In addition, the applicant is appealing the Enforcement Notice of Violation issued by the Zoning Officer dated May 10, 2006. It is the intent of the applicant, if granted approval and the Enforcement Notice of Violation is dismissed, to continue to operate his excavation business from his home. The Board was opposed to this request.

- b. Matthew Haak – Variance 2006-13
(Property located at East of
Daughten Drive)

Mr. Matthew Haak, is requesting a variance to Section 222.2 (Permitted Uses). The applicant seeks approval to park Class I and Class II vehicles (including recreational vehicles, travel trailers, boats & trailers etc.) on a 5-acre tract of land behind 78 East Main Street, and East of Daughten Drive, New Kingstown. It was noted that Mr. Haak is currently in violation of his prior approval. Mr. Jim Hall will be calling Mr. Haak to talk to him about his violation.

- c. Jacob Wagner of J & S Enterprises,
Inc.– Variance 2006-11 (Property
located at All Pro Products, 6799
Carlisle Pike)

Mr. Jacob Wagner, is requesting a variance to Section 502 (Extension of a Nonconforming Use of Land) and Section 503 (Expansion or Alteration). The applicant seeks approval to expand the storage and sales of trailers for All Pro Products, to an adjacent Lot #3. The Board was in favor of the request.

- d. Ryan Homes Special Exception
2006-1 (Property located at Woods
Drive & Silver Spring Road the
Rivendell subdivision)

The applicant is requesting a special exception to Section 701.1.16 (Temporary Use Permit). The applicant seeks approval to install a temporary office trailer for the sale of new homes. The Board was in favor of the request with a time limit of nine (9) months.

There are two (2) cases pending, Team Rahal of Mechanicsburg, Inc. (Appeal 2006-2) and Accent Home Builders, LLC (Variance 2006-10).

BOOKKEEPER POSITION

On an Eakin/Pierce-McLain motion, the Board authorized the advertisement of the job opening for a bookkeeper.

The motion carried.

ADJOURNMENT

There being no further business or comments to come before the Board, the meeting was adjourned at 10:56 pm on an Eakin/Pierce-McLain motion.

The motion carried.

Recorder: _____
Sue Ellen Adams

APPROVED: _____
Chairman

Secretary